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FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

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In the Matter of )  
  
Annual Assessment of the Status of ) MM Docket No. 97-141  
Competition in Markets for the )  
Delivery of Video Programming )

Reply of

THE METROPOLITAN WASHINGTON EAR  
THE NATIONAL TELEVISION ACCESS COALITION



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## Attachment

List of National Television Access Coalition member organizations

## Summary

The television and movie industries have demonstrated that they will not now voluntarily provide access to their products for millions of people who are blind or visually impaired.

The FCC is doing the right thing for people who are deaf or hard of hearing. But for people who are blind or visually impaired -- the millions of could-be want-to-be users of television and video -- the FCC has failed to act.

The FCC has the power to correct this injustice. In so doing it would be carrying out the intent of Congress. The FCC should use that power now.

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Reply of

THE METROPOLITAN WASHINGTON EAR  
THE NATIONAL TELEVISION ACCESS COALITION

Introduction

I am founder and president of one of the first radio reading services for blind and visually impaired persons. I am visually impaired.

Sixteen years ago my husband and I started the audio description movement by providing description for PBS programs and later for IMAX films, National Park Service and museum videos, and other venues.

In 1990 I was one of four people awarded Emmys by the National Academy of Television Arts and Sciences for the development and implementation of television for the visually impaired.

I speak for a coalition of 17 leading organizations concerned with people who are visually impaired, blind, or aging. I also represent the views of millions of **unaffiliated** visually impaired and blind persons.

Comments filed in response to Docket MM 97.141 objecting to a timely implementation of video description for blind and low vision people were basically reiterations of objections voiced earlier. This is not surprising. Commercial television broadcast and motion picture industries are dedicated to maximizing profits without spending time or energy to consider the rights and special needs of the smaller market of visually impaired and blind people.

### **The FCC is the key**

The FCC, therefore, must exercise its Congressionally mandated leadership role to ensure adequate access to the video world, an extremely important lane in the information superhighway.

It was interesting to read that there is a "promising future" for video description via digital technology and that "the industry is committed to insuring wider access to television to persons with hearing and visual disabilities." (July 23, 1997 MPAA Annual Assessment of the Status of Competition in Markets for the Delivery of Video Programming.)

However, there was no recommendation that space be set aside in the digital world for video description and no timetable. I believe that the opponents of this accessibility will continue to find new objections to mandating even very modest amounts of video description.

### **Distorted statements**

Opponents to access have made distorted and exaggerated statements about the cost of equipment for television stations and consumers, the cost of producing the description and the capacity of existing producers of video description to expand to meet increased demands if mandated. And the issue of copyright was raised again.

I will leave it to pro-access organizations more knowledgeable concerning technical and legal matters to reply to those matters. I will respond to other comments.

### **The numbers**

The Motion Picture Association of America states that there are 8,000,000 people with vision low enough to require video description. It is generally accepted by those of us actually engaged in work for the blind and visually impaired that the far more accurate estimate is 12,000,000.

Descriptions also benefit millions of grateful family members, relatives and friends, plus the world of English As A Second Language and persons with learning disabilities.

### **Spanish translations**

As for competition between video description and Spanish translations for the use of the SAP channel on analog television -- there are at present no

complete records concerning the use of SAP channels. However, newscasts and sports with wall-to-wall talking where description is difficult or impossible are not a priority for the low vision and blind population. Spanish translations of these types of programs would face little or no competition.

Also, when PBS describes programs with Spanish translations, both versions are sent to their affiliates. Since the programs air more than once, both versions can generally be accommodated. HBO furnishes Spanish translations for some of its movies, but these movies are also aired more than once.

Spanish speaking people can and do learn English. Blind and low vision people can never learn to see; they must always depend on description. And Spanish speaking people are subject to visual disability like any other group. Of course, the coming digital age can provide channels for both groups *if channels are reserved for this purpose.*

### **Paying for description**

The MPAA refers to voluntary efforts to increase the availability of video description. In November of 1995 they did facilitate a meeting between representatives of the blind community and senior staff from the home video divisions of five major Hollywood studios. We were told that if a sufficient market for described home videos could be demonstrated the studios would begin to pay to produce descriptions just as they already provide closed captioning for their A title home video releases for deaf and hard of hearing people.

Since that meeting Blockbuster Video has begun to carry a selection of described videos in 498 of their stores across the country. Orders from public libraries carrying described videos have increased because of their popularity. *But these descriptions are paid for by others, not by Hollywood or broadcasters.* When we attempt to contact the studios to see if they are now willing to pay for at least some of the description access, our calls and letters go unanswered.

### **Copyright**

The MPAA again raised the copyright issue. They say it is necessary to "recreate" the entire script of a film or video to add the descriptions. This is simply not true. The describer must deal only with the essential visual elements on the screen translating them into a verbal presentation accessible to low vision and blind people. A good describer is nothing more than a faithful color camera lens -- what goes in the eye must come out the mouth without evaluation, interpretation or embellishment, strictly adhering to the visual images.

**Description "hampers"?**

MPAA's statement that congenitally blind people find that descriptions actually "hamper" their ability to enjoy television cannot be backed up with any empirical evidence. To the contrary, a recent study conducted by The American Foundation for the Blind and funded by the U.S. Department of Education clearly demonstrates that congenitally blind people report that the descriptions are very helpful.

Because most people either retain some limited vision and/or lose some or all of their vision later in life, the percentage of congenitally blind people is estimated to be only 2 to 3% of the blind or visually impaired population.

**Just say no**

Moreover, if a congenitally blind person does not want this access, he or she can simply turn it off. Nobody will ever be forced to listen to the descriptions.

**Conclusion**

Chairman Hundt's glowing statement concerning MM Docket No. 95-176 and the mandating of closed captioning for the hard of hearing is highly commendable. This is a template for the FCC also to do the right thing for the millions of people who are hard of seeing -- the would-be could-be want-to-be users of that information superhighway.

How can the FCC do so much for the deaf and virtually nothing for the blind?

Following is a list of Coalition member organizations.

NATIONAL VIDEO ACCESS COALITION

American Association of Retired Persons  
American Council of the Blind  
American Foundation for the Blind  
American Library Association  
Association for Education and Rehabilitation  
of the Blind and Visually Impaired  
Association for Macular Diseases  
Blinded Veterans Association  
Foundation Fighting Blindness  
Gray Panthers  
Macular Degeneration International  
Metropolitan Washington Ear  
National Association of Parents  
of Visually Impaired  
National Association for Visually Handicapped  
National Council on the Aging  
National Organization on Disability  
Prevention of Blindness Society  
World Institute on Disability

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